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WEST LAKE LANDFILL SUPERFUND SITE PRP GROUP

January 29, 2008

Via Facsimile and Certified Mail, Return Receipt Requested

John B. Askew
Regional Administrator
U.S. Environmental Protection Agency
Region VII
901 North 5th Street
Kansas City, KS 66101



**Re: West Lake Landfill Superfund Site; Support for Remedial Action
Recommended by EPA**

Dear Administrator Askew:

On behalf of Cotter Corporation, Bridgeton Landfill, LLC (formerly Laidlaw Waste Systems (Bridgeton), Inc.), and Rock Road Industries, Inc., all of whom are Respondents under the Remedial Investigation/Feasibility Study West Lake Landfill Site Administrative Order on Consent (Docket No. VII-93-F-005), we write in support of the remedy proposed (Proposed Remedy) by the United States Environmental Protection Agency (EPA or the Agency), Region VII Superfund Division, for the West Lake Landfill Superfund Site in Bridgeton, Missouri (the Site). Respondents further urge the Agency to publish the Site Record of Decision (ROD) selecting the Proposed Remedy as soon as possible to allow sufficient time to: (1) negotiate a binding agreement to perform the remedy; and (2) initiate and perform the majority of the remedy construction activities during the 2008 construction season.

We are aware that the Agency continues to receive comments and contacts from individuals and organizations who are opposed to the Proposed Remedy. These opponents object to EPA's plan to contain the radiologically-impacted materials in place at the Site under a newly-constructed protective cap. They instead insist on an excavation remedy and suggest that the radiological materials at the Site are located in discrete "hot spots" that easily could be identified and removed. The excavation remedy they propose is not appropriate for the Site.

Respondents have studied the Site for more than a decade, investigated whether the Site contains radiological hot spots, and submitted a "hot spots" technical memorandum to the Region as

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part of the Remedial Investigation/Feasibility Study (RI/FS) process. The technical hot spots memorandum confirmed that the radiologically-impacted materials are not confined to hot spots, but instead are interspersed within the solid waste materials throughout the Site.

The Site's administrative record demonstrates that the radiologically-impacted materials are present in thin, discontinuous layers that are intermixed with more than 250,000 cubic yards of old trash, dirt, and debris and dispersed throughout large portions of the landfill. These materials are not located in isolated hot spots as suggested by the opponents of the Proposed Remedy. EPA previously concurred with this conclusion.

EPA conducted an extensive and lengthy public comment period for the Site. That public comment process included two public meetings in Bridgeton, Missouri. The Region also accepted written comments to the administrative record for more than six months. Numerous local residents and adjacent property owners testified in support on the Proposed Remedy at the public meetings. They and others also submitted written comments in support of the Proposed Remedy.

As thoroughly addressed by EPA and several commenters during the public comment period, implementing an excavation and removal (dig and haul) remedy for the Site would not necessarily be protective of human health and the environment. As described by EPA during the public comment period, to perform such a remedy, workers would have to excavate and sort through 250,000 cubic yards or more of old trash, dirt, and debris to separate out an estimated 130,000 cubic yards of radiologically impacted material. This material then would require thousands of truck-trips to remove it from the Site and transport it either to a railhead for transport via train, or to haul it via truck, to one of two permitted low level radiological waste disposal sites – one located in Clive, Utah and the other in Grand View, Idaho.

Under such a dig and haul remedy, not only would the Site workers face exposure risks, but the local community would be at increased risk of airborne releases to the environment from handling and screening the materials, and all the communities along the transport routes would be at increased risk of potential releases from travel accidents during transport. Many local residents testified in support of the Proposed Remedy at EPA's public meetings. They and others submitted written comments to EPA during the public comment period indicating that they do not want the increased odors, dust, or truck traffic exposure risks that would be created by a dig and haul remedy. Many of those who spoke at the public meetings also complained about the extended time that has passed without initiating a remedial action and noted that they are anxious to see the remedial process completed.

Respondents remain prepared to begin negotiating a remedial design/remedial action (RD/RA) Consent Decree as soon as EPA issues the ROD for the Site and are willing to discuss commencing the design work during Consent Decree negotiations if that will allow Site work to

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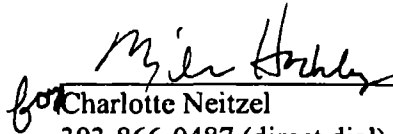
begin sooner. Respondents also have begun allocation negotiations among the PRPs, including DOE, and are confident that such discussions can occur simultaneously with negotiations for a Consent Decree. Presuming these discussions and negotiations can be concluded in time to allow one mobilization event, the construction activities required for the Proposed Remedy could be performed during the 2008 construction season. None of these activities can happen, however, unless EPA timely issues a ROD selecting the Proposed Remedy.

Accordingly, Respondents urge the Agency to publish the Site ROD selecting the Proposed Remedy as soon as possible. Respondents would be happy to meet with you to discuss these concerns further at your convenience; simply contact one of the undersigned to arrange a date and time.

Very truly yours,



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